

MEETINGS TO DATE 5
NO. OF REGULARS 5
NO. OF SPECIALS 0

LANCASTER, NEW YORK
MARCH 3, 1986

A Regular Meeting of the Town Board of the Town of Lancaster,
Erie County, New York, was held at the Town Hall at Lancaster, New York on
the 3rd day of March 1986, at 8::00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
 RONALD A. CZAPLA, COUNCILMAN
 ROBERT H. GIZA, COUNCILMAN
 DONALD E. KWAK, COUNCILMAN
 JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
 RICHARD J. SHERWOOD ,TOWN ATTORNEY
 NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
 ROBERT LABENSKI, TOWN ENGINEER
 JEFFREY H. SIMME, ASST. BUILDING INSPECTOR

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, DAVID HAWK, 40 Vandenberg Avenue, Lancaster, New York,
has petitioned the Town Board of the Town of Lancaster for the rezone of
certain property situate on the south side of Peppermint Road, in the Town of
Lancaster, from an S-A Suburban Agricultural District to an M-1 Light
Industrial District, and

WHEREAS, this Petition has been referred to the Planning Board of
the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of
the State of New York, a public hearing on the proposed rezone will be held at
the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of
March, 1986, at 8:10 o'clock P.M., Local Time , and that Notice of the time
and place of such hearing be published in the Lancaster Bee, a newspaper of
general circulation in said Town and be posted on the Town Bulletin Board, and
a copy of such Notice of hearing be referred to the Erie County Department
of Planning, pursuant to Section 239(m) of the General Municipal Law, which
Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 3, 1986

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of March, 1986, the said Town Board will hold a public hearing on the 17th day of March, 1986, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an S-A Suburban Agricultural District to an M-1 Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 8 and 10, Section 2, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point 443 feet from the south line of Peppermint Road and 1100.14 feet from the west line of Lot 10 or 1620.8 feet from the centerline of Ransom Road; Thence running southeasterly at an exterior angle of 127 degrees, from a line parallel to the centerline of Peppermint Road, for a distance of 912.5 feet; thence running northeasterly at an interior angle of 90 degrees for a distance of 555 feet; thence running northwesterly at an interior angle of 90 degrees for a distance of 912.5 feet; thence running southwesterly at an interior angle of 90 degrees for a distance of 555 feet to the point of beginning; containing 11.6 acres, more or less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

March 3, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, DRESSER INDUSTRIES, INC. has brought an application for review under Article 7 of the Real Property Tax Law of certain tax assessments, against the sole Assessor of the Town of Lancaster and the Board of Assessment Review of the Town of Lancaster, and

WHEREAS, the Assessor has responded in this action in Supreme Court in Erie County, and

WHEREAS, negotiations have been carried on to settle this proceeding without litigation, and

WHEREAS, the Depew Union Free School District wishes to become a respondent-intervenor in the proceeding which involves money settlement, and

WHEREAS, the Assessor, together with the Town Attorney, has determined that a fair settlement accord has been negotiated;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster does not oppose the Depew Union Free School District becoming a respondent-intervenor in the Article 7 Proceeding;

2. That the Town Board of the Town of Lancaster further approves the terms of the settlement accord regarding assessment of the subject property owned by Dresser Industries, Inc., which has been negotiated by the Town Assessor and Town Attorney, and

3. The Town Board hereby authorizes the Town Assessor and Town Attorney to enter into a Stipulation of Settlement in the Article 7 Proceeding regarding the tax assessment on subject property owned by Dresser Industries, Inc.,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 3, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 735 to Claim No. 838 Inclusive.

Total amount hereby authorized to be paid: \$189,176.30

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The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 3, 1986

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
19	William Karn	5676 Broadway	REMOD., ALTER FR. DBL. DWLG, PVT. GARAGE, BARN DOOR

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 3, 1986

File: R-BUILDING

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA . , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 1986 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened February 24, 1986, and

WHEREAS, GLEASON'S NURSERY, INC., 4780 Sheridan Drive, Williamsville, New York 14221, has submitted the lowest responsible bid in the amount of \$14,192.00 for furnishing said trees to the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the low bid of GLEASON'S NURSERY, 4780 Sheridan Drive, Williamsville, New York 14221, in the amount of \$14,192.00, being the lowest responsible bid in conformance with the specifications relating thereto, be and hereby is accepted, and

BE IT FURTHER

RESOLVED, that the Chairman of the Tree Planting Committee of the Town Board of the Town of Lancaster be and is hereby authorized to place orders with GLEASON'S NURSERY, INC. for those trees which the Town of Lancaster needs for its 1986 Tree Planting Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES	COUNCILMAN KWAK VOTED YES
COUNCILMAN GIZA VOTED YES	COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES	

The resolution was thereupon unanimously adopted.

March 3, 1986

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, certain on-site modifications in the construction of renovations to the Town Court/Police Building and Recreation Building located at 525 Pavement Road, and the Library Building located at 5466 Broadway, Lancaster, New York, have resulted in the necessity of a change order, and

WHEREAS, Donald Gallo, Consulting Engineer, has recommended such change order be accepted by the Town of Lancaster, and said change order is on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute Change Order No. 2.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

March 3, 1986

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Acceptance - Pasquale Drive
On December 13, 1985, the Town Attorney was directed to contact the developers and inform them what is necessary for Town Board acceptance of the public improvements on Pasquale Drive.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).
On August 19, 1985, the Town Board approved Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84 (street lighting) and 85 (sidewalks). On December 2, 1985, Public Improvement Permit Nos. 81, 82, and 83 were accepted by the Town Board.
4. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
6. Rezone Petition - David Hawk
On February 3, 1986, this petition was referred to the Planning Board for review and recommendation.
7. Rezone Petition - Barbara and Joseph Walter
On February 3, 1986, this petition was referred to the Planning Board for review and recommendation.
8. Traffic Study - Reconstruction, Genesee Street and Ransom Road
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
9. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visibility restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
10. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
11. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
12. Zoning Ordinance and Map Update
On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.

COMMUNICATIONS:DISPOSITION

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| 181. Planning Board to Town Board -
Minutes from meeting held 2/19/86. | <u>R & F</u> |
| 182. Clarence D. Rappleyea, State Assembly Rep.
Leader to Town Clerk -
Status of proposed changes to welfare and
medicaid programs. | <u>R & F</u> |
| 183. Tree Planting Committee Chair. to Residents -
Explanation re: nursery's failure to plant
trees in 1985. | <u>R & F</u> |
| 184. Erie and Niagara Counties Reg. Planning Board
to Supervisor -
Request comments on Transit Road Rehab. Pro-
ject between Broadway & Walden Avenues | <u>Supervisor</u> |
| 185. Episcopal Church Home to Supervisor -
Request support of Episcopal Community
Healthcare Inc. | <u>Human Service Comm.</u> |
| 186. Planning Board to Town Board -
Request use of zoning change notification
signs. | <u>R & F</u>
<u>Building Inspector</u> |
| 187. Off. of State Comptroller to Supervisor -
Quarterly statement on reports of Town
Justices. | <u>R & F</u> |
| 188. Thill-Demerly Agency to Town Clerk -
Firemens Ins. Co. quotation for annual
premium for "additional indemnities." | <u>T/C</u>
<u>for Resolution 3/17/86</u> |
| 189. American Employers' Ins. Co. to Town Clerk -
Notice of Cancellation re: C.M.H. Co., Inc. | <u>Town Engineer</u> |
| 190. <u>Lancaster Task Force News</u> -
Information on activities. | <u>R & F</u> |
| 191. Assessor to Supervisor -
Report on Association of Towns meeting. | <u>R & F</u> |
| 192. County Dept. of Health to Water Authority -
Transmittal of "Approval of Completed Works"
for Contract #53, Broadway Pumping Station. | <u>R & F</u> |
| The Supervisor requested a suspension of the necessary rule for
immediate consideration of the following communications -
SUSPENSION GRANTED. | |
| 193. Fox & Co. to County Div. of Sewerage Mgt. -
Summary of eligible expenditures incurred by
Town re: Project No. C-360-390-03. | <u>R & F</u> |
| 194. County Water Authority to Town Clerk -
Request reply re: replacement of broken
hydrant at 203 Pavement Rd. | <u>Town Attorney</u>
<u>Building Inspector</u> |
| 195. Town Line Fire Dept. to Town Board -
Request enactment of law concerning spill
problems. | <u>Disaster Committee</u> |
| 196. County Water Authority to Bowmansville V.F.A. -
Reply to letter re: hydrant problem. | <u>Building Inspector</u>
<u>R & F</u> |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

HENRY MARZEC ✓

IRENE WALKER

KATHERINE SCHEIER ✓

Signed Robert P. Thill
Robert P. Thill, Town Clerk